

FORM TO BE USED BY A PRISONER IN FILING A
CIVIL RIGHTS COMPLAINT

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

SHAKIM D. ADAMS #543
JAMAR BURNEY #647
JOHN SANCHEZ #587

COMPLAINT

RECEIVED

MAR 20 2014

(Enter above the full name of the plaintiff in this action)

AT 8:30 _____ M
WILLIAM T. WALSH, CLERK

V.

Civil Action No. 14-1779 (CCC)
(To be supplied by the Clerk of the court)

Sgt. L. HASKINS
MRS. S. DAVIS
S/O - A. Pitts
MRS. J. Dittind
MRS. SHANTAY ADAMS

(Enter above the full name of the defendant or defendants in
this action)

Filing this lawsuit Against
DEFENDANTS under their personal CAPACITY
AS WELL AS OFFICIAL CAPACITY.

Date:

Civil Rights Complaint

1. Jurisdiction is asserted pursuant to:

X
_____ 42 U.S.C. § 1983 (Applies to state prisoners)

_____ Bivens V. Six Unknown Agents of Fed. Bureau of Narcotics.
_____ 403 U.S. 388 (1971) and 28 U.S.C. Z 1331 (applies to federal prisoners.

If you want to assert jurisdiction under different or additional statutes, list these below:

2. Previously Dismissed Federal Civil Actions or Appeals _____

a) Parties to previous lawsuit: _____

Plaintiff(s): _____

Defendant(s): _____

b) Court and docket number: _____

c) Ground for dismissal: () frivolous () malicious () failure to state a claim upon
which relief may be granted

CIVIL RIGHTS COMPLAINT

3. Place of Present confinement? EAST JERSEY STATE PRISON - AD-SEG-UNIT
1 S.T.U.

4. Parties:

a) Name of plaintiff: ⁵⁴³ Shakira D. Adams / ⁶⁴⁷ JAMIE BURNETT / ⁵⁸⁷ JOHN SANCHEZ
EAST JERSEY STATE PRISON - AD-SEG-UNIT

Address: ^{3 T.U.} 8 PRODUCTION WAY
NEWARK, N.J. 07101

Inmate #: #543 / #647 / #587

b) First defendant - name: Sgt. L. HASKINS

Official position: PT shift SUPERVISING Sgt.

Place of employment: E.S.P. - AD-SEG-UNIT - S.T.U.

How is this person involved in this case?

(i.e., What are you alleging that this person did or did not do that violated your constitutional rights?)

KNOWINGLY AND FOR HER OWN PERSONAL
REASONS, ABUSED HER POWERS AS A
Sgt. (D.P.C.) BY SPRAYING PEPPER SPRAY
INSTEAD INTO OUR EYES, WHILE WE WAS
IN HANDCUFFS AND NOT RESISTING
Anything or causing any kind
of conflict. "when we complained about
not being able to see, I was told
By the Above, to Shut up."

Civil Rights Complaint

b) Second defendant - name: MRS. S. DAVIS

Official position: Asst. Supt of D.O.C.

Place of employment: EAST JERSEY STATE PRISON - AD SEC UNIT
S. T.I.U.

How is this person involved in this case?

(i.e., What are you alleging that this person did or did not do that violated your constitutional rights?)

FOR FAILING TO ANSWER OR
INVESTIGATE GRIEVANCES, AND ALSO
OVER-SEE THE CONDUCT OF HER
OFFICERS ABUSING THEIR AUTHORITY.
BY COMMITTING ACTS THAT'S OUTSIDE
OF THEIR PROFESSION.

d) Third defendant - name: Sgt - D. Potts

Official position: South Unit Correctional Officer

Place of employment: EAST JERSEY STATE PRISON - AD SEC UNIT
S. T.I.U.

How is this person involved in this case? (i.e., What are you alleging that this person did or did not do that violated your constitutional rights?)

FOR USING UN-NECESSARY AND
EXCESSIVE FORCE BY TWISTING OUR
ARMS, WHILE PUTTING US IN HANDCUFFS.
AND THEN TWISTING OUR ARMS EVEN
MORE WHEN WE WERE BEING WALKED
DOWN THE STAIRS, PUTTING THE SHOULDER
BLADES INTO EVEN MORE PAIN, WHILE THE
SUPERVISING SGT. WATCHES.

Civil Rights Complaint

e) Fourth defendant - name: MRS. J. OTTINO

Official position: Program Coordinator - D.H.S.

Place of employment: EAST JERSEY STATE PRISON - N-SEG - UNIT
S.T.U.

How is this person involved in this case? (i.e., What are you alleging that this person did or did not do that violated your constitutional rights?)

DIS-REGARDING AND ALLOWING D.P.C. to
PHYSICALLY ABUSE us. And by TURNING
HER EYES FROM the COMPLAINTS OF
HOW D.P.C. South unit OFFICERS & SGT,
INTRODUCING pain on OUR PERSONS.

f) Fifth defendant - name: MRS. SHARLAY ADAMS

Official position: Unit Director - D.H.S.

Place of employment: EAST JERSEY STATE PRISON - N-SEG - UNIT
S.T.U.

How is this person involved in this case? (i.e., What are you alleging that this person did or did not do that violated your constitutional rights?)

FOR OVER-LOOKING the ABUSE
that we are constantly getting
FROM these CORRUPTED OFFICERS
on the South unit. And DIS-REGARDING
the COMPLAINTS OF these SERIOUS Acts.
causing them to CONTINUE AND
ELEVATE out of Control.

CIVIL RIGHTS COMPLAINT

g) Sixth defendant - name: _____

Official position: _____

Place of employment: _____

How is this person involved in this case? (i.e., What are you alleging that this person did or did not do that violated your constitutional rights?)

h) seventh defendant name: _____

Official position: _____

Place of employment: _____

How is this person involved in this case? (i.e., What are you alleging that this person did or did not do that violated your constitutional rights?)

Civil Rights Complaint

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of the Statement of Claims on page

____ YES X NO

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

If your answer is "No," briefly explain why administrative remedies were not exhausted.

BECAUSE THE EXECUTIVE ASSISTANT FOR
D.D.C. (MRS. DEBORAH MALONEY) INTERCEPTING
THE GRIEVANCES AND RE-ROUTING THEM,
BACK INTO THE HANDS OF THE ONES WE
WRITTEN UP ON GRIEVANCES CAUSING THE
PROBLEM TO BECOME EVEN MORE.

Civil Rights Complaint

6. Statement of Claims:

SEE
ATTACHED
EXHIBIT
FOOTNOTES

STATEMENT OF CLAIMS10#7
3/17/14

ON 3/17/14, AT 7⁴⁰ AM. THE NURSE (NURSE ERIKA) CAME TO THE SOUTH UNIT. AND TOLD THE SOUTH UNIT CORRECTIONAL OFFICER (SGO- Pitts) TO LOCK DOWN THE LOCK UP AREA, WHEN IT WASN'T NECESSARY.

DUE TO EVERYONE BEING ON TIER MAP. AND NO-ONE IS LOCKED IN CELLS.

THIS LOCK IN SESSION ONLY HAPPENS WHEN THIS ~~PRISONER~~ NURSE IS WORKING.

RECEIVED

MAR 20 2014

WHEN A SGT. WAS REQUESTED TO COME TO THE SOUTH UNIT, ABOUT THIS / THESE CALCULATED, UN-CALLED FOR, LOCK INS.

AT 8:30 AM
WILLIAM T. WALSH, CLERK

1ST SHIFT, SGT. L. HASKINS CAME TO THE SOUTH UNIT, WHEN IT WAS BEGINS TO BE EXPLAINED TO HER (SGT. L. HASKINS) ABOUT THIS ONE NURSE ROUTINELY GETTING US LOCKED IN, FOR HER OWN PERSONAL REASONS.

SGT. L. HASKINS, TOLD US TO SHUT UP, AND TO TURN AROUND AND ORDERED HER OFFICERS TO PROCEED ON PUTTING HANDCUFFS ON US.

" WITHOUT ALLOWING US TO EXPLAIN OUR SIDE OR ANYTHING. AND PLACED US ON T.C.C. (TEMPORARY CLOSE CUSTODY)

STATEMENT OF CLAYTON

2 OF 7

3/17/14

24 HOUR LOCK DOWNS. (NO T.V. / SHOWER / CHANGE OF CLOTHES ETC)

THERE WASN'T ANY INVESTIGATION OR ANYONE ALLOWED TO TALK TO EITHER ONE OF US, PERMANING TO MAKING SOLID COMPLAINTS, VERBAL COMPLAINTS AND NUMEROUS GRIEVANCES BEING PUT IN, TOWARDS THESE - - - UN-NECESSARY CALCULATED LOCK DOWNS.

CALCULATED, CAUSING, GROUPS TO BE CANCELLED, TREATMENT STAFF TO BE TOLD TO LEAVE THE SOUTH UNIT, KEEP US LOCKED IN FROM 7⁴⁵AM. UNTIL 8⁵⁵AM. TURNING TREATMENT INTO PUNISHMENT.

* AND D.H.S. STAFF AND - - - THERAPISTS (DR. VANPELT / P.C. MRS. J. OTTINO / MRS. S. ADAMS / MERRI) MAN CONSTANTLY TELLS US THAT THEY DON'T GET INVOLVED WITH D.O.C. ISSUES.

CAUSING D.O.C. AND THE - - - HARASSMENT TO ELEVATE AND CONTINUE. "DUE TO THE COMPLAINTS BEING MADE." *

** THE LOCK UP PROCEDURES CONSIST OF BEING CONFINED TO A CELL, NOTHING IN IT, FOR 72 HOURS,

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STATEMENT OF CLAIMS3/17/14

then we HAVE to SEE D.H.S. P.C.'s (MRS. J. OTTINO / DR. VANPELT)

And then we HAVE to SEE INTERNAL AFFAIRS (MR. PENIA / MR. S. HARRISON)

And then we AS CIVILLY COMMITTED RESIDENTS, HAVE to WAIT FOR THE PAPER-WORK to get DONE. to BE PLACED on TIER M.A.P. (RELEASED FROM CELL)

CAUSING us to BE CONFINED to the CELL FOR 3 to 5 DAYS, NO T.V., RADIO, SHOWER, change of clothes etc.

And each day that we complain, the punishment of staying and BEING CONFINED to cell, is extended FOR A LONGER PERIOD OF TIME.

Also, when we ARE CUFFED, the CORRECTIONAL OFFICERS, TWISTS ONE OF OUR ARMS AND THEN put the CUFFS on, DIS-REGARDING the --- COMPLAINTS OF HOW this tactic HURTS our SHOULDERS.

on 3/17/14, at 7⁴⁵AM 1st shift Sgt. L. HASKINS grabbed HER PEPPER SPRAY AND started shaking the can AND FOR NO APPARENT REASON, started spraying it (pepper spray) into

STATEMENT OF CLAIMS

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3/17/14

RESIDENT JOHN SANCHEZ 587, AND RESIDENT JAMAR BURNETT FOR HER OWN PERSONAL REASONS.

BECAUSE, WE WASN'T RESISTING OR CAUSING ANY OTHER DIS-AGREEMENTS, WE WERE ALREADY IN HANDCUFFS AND HELD BY THE CORRECTION OFFICERS. *GIVING SGT. L. HASKINS NO REASON TO SPRAY THAT CHEMICAL (PEPPER SPRAY) INTO OUR EYES.*

*** COURTS HAVE ALSO REJECTED THE VIEW THAT PRISON PERSONNEL ARE PRIVILEGED TO MAKE UP DISCIPLINARY CHARGES. BUT EVEN IF THAT VIEW IS ACCEPTED, IF YOU ARE SUBJECTED TO FALSE CHARGES AND "DO NOT" RECEIVE A HEARING, YOU SHOULD HAVE A "DUE PROCESS CLAIM."

THE COURTS ARE IN AGREEMENT THAT DISCIPLINARY CHARGES BROUGHT IN RETALIATION FOR FILING GRIEVANCES, MAKING COMPLAINTS, PURSUING LAWSUITS OR ENGAGING IN OTHER ACTIVITIES PROTECTED BY THE CONSTITUTION VIOLATES THE SUBSTANTIVE CONSTITUTIONAL RIGHT IN QUESTION.

COURTS ALSO RULED, THAT PRISON GUARDS WHO HANDCUFFED YOU VERY TIGHTLY, PERMANENTLY HURTING YOUR WAISTS AND SHOULDERS

STATEMENT OF CLAIMS

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3/17/14

And Hands. you must show the guard intended to handcuff you, But you do not have to show the guard intended to hurt you, when He Handcuffed you.

The United States Court of Appeals For the Six Circuit, Held that a Reasonable jury could conclude that Being subjected to the Risk of prison disciplinary sanctions for raising a legitimate complaint would DETER A PERSON FROM /OF ordinary Firmness.

And also claimed that the Defendants violated His/their constitutional Rights under the "Equal protection clause", the "DUE PROCESS clause", the "First Amendment" and the "Eighth Amendment."

under this standard, the prisoners was to Establish an Egregious Abuse of --- Governmental "powers" or "Behaviors" that shocks the Conscience as a prerequisite to Recovery.

As I (Shakim D. Adams⁵⁴³) was Being Brought BACK to the South unit Lock up Area. I was trying to plead and Explain my innocence, my side of the story. And Again, I and my complaints is Dis-regarded once Again. And I was placed in Cell #322, on T.C.C. = 24 HR.

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locked down. "without Having an ---
 "Administrative Hearing" or "Investigation
 taken place."

I AM told By Sgt. L. Haskins,
 to shut up, she's not trying to hear
 it. "Causing myself Shakin D. Adams⁵⁴³, TAMAR BURNLEY^{#647},
 JOHN SANCHEZ⁵⁸⁹, to put in another complaint,
 GRIEVANCES to get some form of
 relief. But as always, our exhausting
 our remedies is over-looked and
 dis-regarded.

And the consequences of
 us, putting in grievances and
 making verbal complaints is having
 our lock up time (T.C.C.) being
 extended in staying locked in
 our cells on 24 hour lock down.

Having no access to legal
 phone calls, phone calls, showers or
 access to talking to any D.H.S.
 treatment staff or therapists, as
 per the orders of D.O.C. policies.

we (Shakin D. Adams⁵⁴³, TAMAR BURNLEY
 & John Sanchez) can't inform any
 D.H.S. staff, about our being
 sprayed with pepper / mace in
 our eyes by 1st shift Sgt. L. Haskins

~~AT~~ STATEMENT OF CLAIMS

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3/17/14

while in HANDCUFFS and not ---
RESTRAINING or CAUSING ANY KIND
OF DISCOMFORT OF ANY SORT OF WAY.

** THE COURTS RULED, THAT PSYCHIATRIC
TREATMENT MAY NOT BE USED FOR
DISCIPLINARY PURPOSES, AND MAY PSYCHIATRIC
CONFINEMENT OR ISOLATION BE IMPOSED
UNDER ANY DEGRADING OR EXCESSIVE
RESTRICTIVE CONDITIONS.

ALSO THAT EXCESSIVE OR UNNECESSARY
FORCE BY CORRECTION OFFICERS OR PRISON
STAFF VIOLATES THE CONSTITUTION, AND
MAY BE REMEDIED BY DAMAGES OR
INJUNCTIVE RELIEF.

AND THAT SUPERVISORY OFFICIALS
MAY BE HELD LIABLE ON SEVERAL ---
GROUNDS. OFFICIALS WHO KNOW OR SHOULD
KNOW, THAT A PRISON IS UTILIZING
UNCONSTITUTIONAL PROCEDURES, MAY
BE HELD LIABLE IF THEY FAIL TO
CORRECT THE VIOLATIONS. "EVEN IF" ---
COMMITTED BY THE SUPERVISORS ---
THEMSELVES **

Civil Rights Complain

7. Relief

(State briefly exactly what you want the court to do for you. Make no legal argument. Cite no cases or statutes.)

I would like the Court to grant the following injunctions;

- A.) the Removal of ~~the~~ DEFENDANTS, until this case is resolved, or to be transferred to a Federally Funded Facility, out from UNDER D.D.C. to prevent any further conflicts with ourselves and D.D.C.
- B.) TO HAVE A COURT Appointed Administrator, to over-see the Requested Relief,
- C.) TO RECEIVE COMPENSATORY DAMAGES FOR the mental & physical pain that is inflicted upon ~~us~~ ^{us} BY D.D.C.
- D.) TO HAVE A SPECIAL COURT MASTER to over-see the above injunctions.

Civil Rights Complain

8. Do you request a jury or non-jury trial? (Check only one)

☒ Jury Trial

☐ Non-Jury Trial

I declare under penalty of perjury that the forgoing is true and correct to my knowledge, And would not knowingly or willfully give faults information to the court.

Signed this 17th day of MARCH, ~~2014~~ 2014

1.) Shakim D. Adams 543
2.) James Burrell 1647
3.) John Sanchez 582
Signature of Plaintiff.

_____.

EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF. REMEMBER, (EACH) PLAINTIFF MUST SIGN THE COMPLAINT.